



Wyoming Department of Health
Aging Division

Policy Information Notice

DATE: June 26, 2009 **PIN #:** DORE-2009-03

SUBJECT: Fraud Detection and Prevention Policy

TO: All Aging Division Contracted Providers

REFERENCES: 31 U.S.C. § 3729-3733 (False Claims Act), 45 C.F.R. § 1321.11, Public Law 93-400 (Federal Acquisition Regulation), Public Law 98-502, Public Law 104-156, 45 C.F.R. § 74, 45 C.F.R. § 92, 42 C.F.R. § 1003.102, 2 C.F.R. § 180.800, OMB Circular A-87, OMB Circular A-122

EFFECTIVE DATE: Immediately

The Aging Division is dedicated to protecting clients, public funding, the organization (including employees) and assets against financial risks, operational breaches and unethical activities. Therefore, it is incumbent upon the Aging Division to institute and communicate the Aging Division fraud detection and prevention policy information notice and to convey that the Aging Division has zero tolerance for such acts or activities.

This policy covers all Aging Division contractors, subcontractors, vendors, customers and partners to the extent that any Aging Division programs, services, resources or funding are involved or impacted.

Policy:

The Aging Division has a zero tolerance policy regarding fraud. All reports or allegations of fraud of any kind, raised by any source, will be taken seriously and properly documented and investigated.

Fraud is defined as an intentional deception, misconduct, misappropriation or misuse of funds/resources or the manipulation of data to the advantage or disadvantage of a person or entity. Some examples of fraud include:

- Falsification of expenses and invoices
- Theft of cash, fixed assets or resources

- Improper use of funding
- Misuse of resources
- Alteration or falsification of records
- Failure to account for monies collected
- Utilization of funds for prohibited activities
- Billing for unauthorized services
- Knowingly providing false information on applications and requests for funding
- Obtaining money or property by means of false pretenses, representations or promises
- Intentional misrepresentation

Reporting of Fraud or Corruption:

Allegations and concerns about fraudulent or corrupt activity may come from various sources including:

- Employees
- Organization's Board of Directors
- Vendors
- Clients
- Contractors
- Subcontractors
- Members of the public
- Results of site reviews
- Inconsistencies in reports/reporting
- Trend analysis
- Funding applications
- Results of internal or external audit reviews
- Any other interested parties

All employees and officers have a duty to report concerns they have or information provided to them about the possible fraudulent or corrupt activity of any officer, employee, or vendor of the Aging Division where any Aging Division programs, services, resources or funding are involved or impacted. Any person who has a reasonable basis for believing fraudulent or corrupt acts have occurred has a responsibility to report the suspected act to the Aging Division immediately. Reports may be verbal, in writing, faxed or emailed. Reports shall be directed to:

Aging Division
Attn: Fraud Reporting
Wyoming Department of Health
6101 Yellowstone Road, Suite 259B
Cheyenne, WY 82002
(307) 777-7986
Toll Free 1-800-442-2766
Fax (307) 777-5340
E-mail: wyaging@health.wyo.gov
<http://www.wyomingaging.org>

A person reporting fraud, abuse or corruption may be asked the following:

- Reporting Person - your contact information.

- Date(s) of the alleged incident.
- Subject - the person suspected of fraud.
- Involved Party - any person that has information regarding the fraudulent activity.
- Fraud Type - the classification of the fraud allegedly committed.
- Fraud & Investigation - detailed information about the fraudulent activity and the status of any current investigations.
- Amount – approximate dollar amount of funding that was misused or misallocated as a result of the activity.
- Witnesses.
- Confidentiality – does the reporting party wish to remain confidential?
- Any other pertinent information.

Penalties:

Penalties for confirmed fraudulent activities may include, but are not limited to:

- Repayment of Funds
- Loss of Grant/Bid
- Termination of Contract
- Exclusion from future funding eligibility for a specified or indefinite amount of time
- Increased reporting
- Suspension of payment(s)
- Decreased future payments
- Litigation
- Criminal prosecution
- Restitution
- Fines

Process:

The reporting process concerning potentially fraudulent events/reports/and or practices shall include:

- Notification of potentially fraudulent occurrences to the Aging Division Administrator and Deputy Administrator. The Director of the Wyoming Department of Health will be advised.
- The Office of the Attorney General of Wyoming will be contacted. The Attorney General assigned to the Aging Division will then contact the relevant board president, the County Attorney's office, and the County Commissioner's office in the relevant county.
- This process will be consistently followed, regardless of circumstances surrounding the potential fraud.